

U. H. ffor that the said Assembly in January 1646 was Sumōned at
 Journal first by Captaine Edwa Hill, who was onely our pre-
 1659-69 tended Lieutennant the said Province, but never lawfully
 authorized by from or vnder vs, And that in regard our said
 Brother vpon his reassuming the said Government continued
 the said Assembly without issuing any new Sumōns for Election
 of another, Therefore as Wee vnderstand the said Members of
 the Assembly in January one thousand Six hundred fforty Seven
 declared and protested against the Acts of the other in January
 1646 as illegall, wherevpon Thomas Greene Esquier our Lieu-
 tennant there then for the tyme being did vpon good and lawfull
 grounds, and according to the duty of his place protest against
 p. 10 the said Protestors and the Protest therein, and Declare As
 Wee hereby also doe that the said Assembly in one thousand
 Six hundred fforty Six was lawfully continued by our said
 brother, And all Acts therein assented vnto by the said Assem-
 bly, and in our name Enacted by our said brother were and are
 Lawes of the said Province, as fully to all effects in lawe, till wee
 or our heires shall signify our disassents therevnto as any lawes
 heretofore in the said province have or ought to have bene.
 ffor although the first Sumōns were issued by one who was not
 our Lawfull Lieutennt there, yet being afterwards approved
 of by one that was, it is all one, as to the proceedings after-
 wards as if at first they had issued from a lawfull Governor.
 ffor our Charter of the said Province gives vs power to Assem-
 ble the ffreemen thereof or their deputyes in such manner and at
 such tymes, as wee shall thinke fitt, and neither it nor any lawe
 of the said Province doth obliege vs, or our Lieutnt there to
 any perticular forme or Circumstance of Sumōning the ffree-
 men to any Assembly: If the ffreemen of themselues without
 any Sumōns at all should assemble themselues or elect certaine
 persons to be their deputies in a Gennerall Assembly, and send
 them to the Governor there for that purpose. Although this
 were a very illegall proceeding, and would perhapps deserve
 exemplary punishment, yet Certainly if a lawfull Governor
 shall afterwards allow thereof and shall accordingly proceede
 to the Enacting of lawes with their Consent such lawes would
 be in as much force & as binding to the people (and soe in all
 reason ought to be) as if the Elections had bene made by a
 Sumōns from a lawfull Governor. Any Act made by an vn-
 lawfull power, if it be afterwards approved of by a lawfull
 authority that hath power to doe it (as in the Case aforesaid) it
 becomes thereby lawfull, Wherefore those pretended Excep-
 tions against the legallity of those lawes enacted by our said
 Brother in our name by and with the Consent of the said
 Assembly in January one thousand Six hundred fforty Six are
 meere Cavills, and serue onely to breede factions and divisions